

Exhibit A

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

UNITED STATES, *et al.*,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

No. 1:23-cv-00108-LMB-JFA

DECLARATION OF BRYAN WIELAND

I, Bryan Wieland, hereby declare as follows:

1. I am Senior Legal Counsel of Global Commercial and Product and Lead Lawyer, Americas at Criteo Corp. (“Criteo”), located in New York City, New York. Among other duties, I am involved in assisting with responding to subpoenas issued to Criteo in connection with ongoing litigation.

2. In connection with my duties, I have been personally involved in collecting documents that were produced in the above-captioned litigation pursuant to subpoenas issued by the parties. Accordingly, I have personal knowledge of the contents of the Criteo documents attached as exhibits to, and cited in, the summary judgment briefing and motions to exclude recently filed by the parties, which are currently the subject of sealing motions filed by the parties as ECF Nos. 592, 605, 612, 642, 648, 651, 661, 667, 698, 712, and 719. I have participated in the review of the Criteo materials submitted in connection with these filings.

3. The parties’ briefing includes multiple exhibits and citations to materials produced by Criteo in this litigation.¹ Two of those citations which are subject to sealing motions at ECF Nos. 642 and 661 quote Criteo’s competitively sensitive business information:

¹ For reference, Criteo’s materials were filed in connection with the following docket entries: ECF No. 669, Exs. 8, 26, and 32; ECF No. 660, Ex. A; ECF No. 640, Exs. D, J, & M; ECF No.

- **DOJ Opp. to Mot. to Exclude Simcoe, ECF No. 640** (“ECF No. 640”), quoting CRITEO_GOOGLELIT_0000011698, at -701 – Criteo’s response to the European Commission’s Questionnaire re “COMP/AT.40760 – Google – AdTech and Data-related practices” (beginning “Yes we have been bidding differently”); and
- **DOJ Opp. to Mot. to Exclude R. Lee, ECF No. 660** (“ECF No. 660”), quoting CRITEO_GOOGLELIT_0000000729, at -730 (beginning with “Criteo targets”)

4. Specifically, ECF No. 640 quotes Criteo’s confidential response, submitted to the European Commission pursuant to the Commission’s investigation into digital advertising practices, which details Criteo’s bidding strategy as well as what it considers to be optimal bidding practices for first- and second-price auctions.

5. In ECF No. 660, there is a quote from an internal strategy document by Criteo that states the revenue percentage rates Criteo targets for new versus current customers in the United States.

6. Public disclosure of this highly confidential revenue target and bidding strategy information would irreparably harm Criteo’s competitive standing. Such disclosure would give Criteo’s current and potential customers an unfair advantage in negotiations with Criteo, and Criteo’s competitors an unfair advantage by providing them with detailed information regarding Criteo’s bidding practices, allowing them to form counterstrategies that would harm Criteo. Given the sensitive nature of these documents, Criteo has not publicly disclosed this information, has limited disclosure of this information within Criteo, and has consistently designated this material as confidential, including pursuant to the Protective Order entered in this case.

7. Accordingly, Criteo seeks to maintain the quote describing Criteo’s bidding strategy from ECF No. 640 and the numerical percentages for Criteo’s target revenues quoted in ECF No. 660 and under seal.

570; ECF No. 573 & Exs. 1, 3; ECF No. 576, Ex. 1; ECF No. 579, Ex. 1; ECF Nos. 581-585 Exs. 8, 20; ECF Nos. 708, 709, Exs. 127, 137, 145. For the avoidance of doubt, Criteo is moving to seal only the two narrow portions of documents discussed herein.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on June 14, 2024, at New York City, New York.

A handwritten signature in black ink, appearing to read "Bryan Wieland", is positioned above a horizontal line.

BRYAN WIELAND